



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**PERMIT FOR
MUNICIPAL SOLID WASTE (MSW) MANAGEMENT SITE**
Issued under provisions of
Texas Health & Safety Code
Chapter 361

MSW Permit No.: 1355A

Name of Permittee
& Site Operator: Ruffino Hills Transfer Station, LP
c/o Fort Bend County Regional Landfill
14115 Davis Estates Road
Needville, TX 77461

Property Owner: City of Bellaire
7008 South Rice Avenue
Bellaire, TX 77401

Facility Name
& Address: Ruffino Hills Transfer Station
9720 Ruffino Road
Houston, TX 77031

Classification of Site: Type V Municipal Solid Waste Processing Facility

Wastes to be Accepted: Solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, putrescible waste, rubbish, ashes, brush, street cleaning waste, abandoned automobiles, and Class 2 and Class 3 industrial solid waste

The permittee is authorized to store and process wastes and to recycle recovered materials in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

APPROVED, ISSUED AND EFFECTIVE in accordance with the Texas Health & Safety Code Chapter 361 and Title 30 Texas Administrative Code (30 TAC) Chapter 330.

ISSUED DATE:

For the Commission

TABLE OF CONTENTS
Ruffino Hills Transfer Station, LP
Ruffino Hills Transfer Station
MSW Permit No. 1355A

Signature Sheet	1
Table of Contents	2
I. Size and Location of Facility	3
II. Facilities and Operations Authorized	3
III. Facility Design, Construction, and Operation	4
IV. Financial Assurance	5
V. Facility Closure	6
VI. Standard Permit Conditions	6
VII. Incorporated Regulatory Requirements	7
VIII. Special Permit Provisions	8
IX. ATTACHMENT A	8
The Permit Application	8
X. ATTACHMENT B	8
Amendments, Modifications, and Corrections to MSW Permit No. 1355A	8

I. Size and Location of Facility

- A. This Type V facility is located in Houston, Harris County, Texas, approximately 2,400 feet southeast of the intersection of U.S. Highway 59 and the Sam Houston Tollway/Beltway 8 on Ruffino Road. The facility contains 14.18 acres.
- B. The legal description is contained in Parts I/II, Documentation, of the application.
- C. Coordinates and Elevation of Site Permanent Benchmark:
 - Latitude: 29° 39' 23.66" N
 - Longitude: 95° 32' 59.96" W
 - Elevation: 90 feet above mean sea level (msl)

II. Facilities and Operations Authorized

- A. Days and Hours of Operation

The operating hours of this municipal solid waste facility will be from 3:00 am to 9:00 pm, seven days a week. The facility is authorized to accept waste from 3:00 am to 7:00 pm, seven days a week. The operator shall post the actual operating hours on the site sign.

- B. Wastes Authorized at this Facility

The permittee is authorized to store and process solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, putrescible waste, rubbish, ashes, brush, street cleaning waste, abandoned automobiles, and Class 2 and Class 3 industrial solid waste.

- C. Wastes Prohibited at This Facility

The permittee may not accept hazardous waste, Class 1 non-hazardous industrial solid waste, regulated asbestos-containing materials, liquid waste, special waste other than Class 2 and Class 3 industrial solid waste, or any other prohibited waste as listed in Parts I/II, Section 3.1.1 of the application.

- D. Waste Acceptance Rate

Solid waste may be accepted for processing at this facility at a rate of up to 2,000 tons per day.

- E. Maximum Waste Storage

Up to 3,000 tons of waste may be stored at this facility.

F. Facilities Authorized

The permittee is authorized to operate the facilities related to the processing and storage of the wastes authorized, and related to the recycling of the recovered materials, which shall include units, structures, appurtenances, or improvements as described in the permit application.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

III. Facility Design, Construction, and Operation

A. Facility design, construction, and operation must comply with this permit, Commission Rules, including applicable sections of 30 TAC Chapter 330, Special Provisions contained in this permit, and the permit application.

B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant, and to prevent inundation or discharge from the areas surrounding the facility components. This site must be designed, constructed and maintained to collect spills and incidental precipitation in such a manner as to:

1. preclude the release of any contaminated runoff or spills; and
2. prevent washout of any waste by a 100-year storm.

C. The site shall be designed and operated so as not to cause a violation of:

1. requirements of the Texas Water Code, §26.121;
2. requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended;
3. requirements under the Federal Clean Water Act, §404, as amended; and
4. requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.

D. All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this permit. The permittee shall further ensure that personnel are familiar with safety procedures,

contingency plans, the requirements of the Commission's rules, and this permit, commensurate with their levels and positions of authority.

IV. Financial Assurance

- A. General. Authorization to operate the facility is contingent upon compliance with provisions contained in this permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter K and 30 TAC Chapter 37.
- B. Closure Financial Assurance. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount equal to closing the entire facility pursuant to 30 TAC §330.505(a). The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to the anniversary date of the permit pursuant to 30 TAC §330.505.
- C. Closure Financial Assurance Amount. Within 60 days after the date of permit issuance or prior to the initial receipt of waste, the permittee shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than \$142,284 for closure in 2007 dollars. The amount of financial assurance to be posted annually shall be determined as described in Section IV.B of this permit.
- D. Closure Plan Modifications. If the facility's closure plan is modified, the permittee shall provide new cost estimates in current dollars, which meet the requirements 30 TAC Chapter 37 and 30 TAC §§330.505. Modifications shall be made pursuant to 30 TAC §305.70. The amount of the financial assurance mechanism shall be adjusted within 20 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit, shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

Closure shall commence:

- A. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this permit or violation of state or federal regulations.

The Executive Director is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;

- B. Upon abandonment of the site;

- C. Upon direction of the Executive Director for failure to secure and maintain adequate financial assurance as required; or
- D. Upon permittee's notification to the TCEQ that the facility will no longer operate.

VI. Standard Permit Conditions

- A. This permit is based on and the site owner/operator shall follow the permit application submittals dated March 10, 2008, and revised in submittals dated April 4, 2008; September 9, 2008; November 6, 2008; October 5, 2009; July 23, 2010; and August 9, 2010. These application submittals are hereby approved subject to the terms of this permit, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this permit by reference in Attachment A as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission. The permittee shall maintain the application and all supporting documentation at the facility and make them available for inspection by TCEQ personnel.
- B. Attachment B, consisting of amendments, modifications, and corrections to this permit, is hereby made a part of this permit.
- C. The permittee shall comply with all conditions of this permit. Failure to comply with any condition may constitute a violation of the permit, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.
- D. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.
- E. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.
- F. Regardless of the specific designs contained in the permit application, the permittee shall be required to meet all performance standards in the permit, the application, or as required by local, state, and federal laws.
- G. If differences arise between the rules, regulations, and permit provisions and the incorporated application materials, then the rules, regulations, and permit provisions shall prevail.
- H. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC chapters 106 and 116 and 30 TAC Chapter 330, Subchapter U.

VII. Incorporated Regulatory Requirements

- A. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any operation authorized by this permit.
- B. To the extent applicable to the activities authorized by this permit, the requirements of 30 TAC Chapters 37, 281, 305, and 330, and future revisions are adopted by reference and are hereby made provisions and conditions of this permit.

VIII. Special Permit Provisions

The Texas Department of Transportation (TxDOT) has recommended that the ingress and egress radii at the Beltway 8 northbound frontage road be modified to prevent trucks from jumping existing curbs and that a 48" by 48" sign stating "PLANT ENTRANCE" be placed on the east side of the Beltway 8 frontage road 300 feet south of Ruffino Street. The conditions of this permit commence upon the completion of this work to the satisfaction of Mr. Leonard Polk, P.E., of the TxDOT Houston District Office.

IX. ATTACHMENT A

The Permit Application

X. ATTACHMENT B

Amendments, Modifications, and Corrections to MSW Permit No. 1355A.

TECHNICAL SUMMARY

Ruffino Hills Transfer Station LP Ruffino Hills Transfer Station Municipal Solid Waste (MSW)

Permit Amendment Application Number 1355A Harris County, Texas

August 2010

Prepared by

Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality

1.0 General Information

Applicant: Ruffino Hills Transfer Station LP
c/o Fort Bend County Regional Landfill
14115 Davis Estates Road
Needville, TX 77461

Facility: Ruffino Hills Transfer Station
Type V

1.1 Purpose of Permit Amendment Application

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a Municipal Solid Waste transfer station, which is a Type V municipal solid waste facility in Harris County, Texas. This application was received on March 14, 2008 in accordance with Title 30 of the Texas Administrative Code (30 TAC) Section 305.62. The total permitted facility boundary is 14.18 acres. The amended permit would expand waste acceptance and operating hours and increase the maximum daily acceptance rate.

1.2 Wastes

Wastes Authorized to be Accepted:

This facility accepts municipal solid waste which is defined in 30 TAC§330.3 as solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, putrescible wastes, rubbish, ashes, brush, street cleanings, abandoned automobiles, and Class 2 and Class 3 industrial solid waste.

Wastes Not Authorized to be Accepted:

Waste prohibited for acceptance at this facility include regulated hazardous waste, polychlorinated biphenyls waste, liquid waste, regulated asbestos-containing materials, Class 1 industrial solid waste, and special waste other than Class 2 and Class 3 industrial solid waste. Any other waste which is prohibited or not authorized may not be accepted.

2.0 Application Review

This application has been reviewed for compliance with the applicable requirements of 30 TAC Chapters 281, 305, and 330. On April 16, 2008, the application was determined to be administratively complete. The application has been technically reviewed by the Municipal Solid Waste Permits Section to determine its compliance with the applicable requirements in 30 TAC Chapters 305 and 330. Chapter 330 of 30 TAC contains the minimum regulatory criteria for municipal solid waste facilities. It has been determined that the information in

this permit amendment application demonstrates compliance with these regulatory requirements and that the application is technically complete. A draft permit has been prepared. A Notice of Application and Preliminary Decision will be issued.

3.0 Location and Size

3.1 Location

The Ruffino Hills Transfer Station is located in Harris County, approximately 2,400 feet southeast of the intersection of U.S. Highway 59 and the Sam Houston Tollway/Beltway 8 on Ruffino Road. The location is illustrated in Attachment 1 (General Location Map) of this Technical Summary.

Elevation and Coordinates of Current Permanent Benchmark:

Latitude:	29° 39' 23.66" N
Longitude:	95° 32' 59.96" W
Elevation:	90 feet above mean sea level (msl)

3.2 Size

The total area within the permit boundary is approximately 14.18 acres. The site layout is illustrated in Attachment 2 (Site Layout Plan) of this Technical Summary.

4.0 Facility and Operations Authorized

The facility consists of a site entrance with appropriate security fencing, a paved entrance road to the site, all-weather access roads, surface drainage and storm water run-on/runoff control structures and a building in which waste will be unloaded and then loaded into transfer trailers for transportation to disposal facilities.

5.0 Facility Design and Construction

The transfer building is 110 feet by 118 feet with concrete floors, concrete push walls, steel framing, metal exterior panes, and a roof. The building is split-level, allowing unloading of waste on the tipping floor located on the upper level, after which waste is lifted over a push wall to transfer trailers located on the lower level.

6.0 Land Use

Land use in the vicinity of the site was evaluated in accordance with applicable subsections of 30 TAC §330.61.

6.1 Zoning

The facility is located within the City of Houston which does not have zoning.

6.2 Surrounding Area Land Use

Land use within a one-mile radius of the site is primarily residential (35.9%), open (27.9%), commercial (22.8%), or industrial (7.2%).

6.3 Growth Trends

The transfer station is located within the City of Houston and Harris County, but within five miles of the facility are the cities of Bellaire, Sugarland, Meadows Place, Stafford and Missouri City, as well as unincorporated areas of Fort Bend County. Sixty-four percent of this area within five miles is within Harris County while the rest is within Fort Bend County. The population of this area is expected to increase by about 42.8% over the next 18 years.

6.4 Residences and Businesses

There are estimated to be 2,762 single-family homes within one mile of the facility, as well as 17 multi-family developments, including apartment complexes, condominiums, and townhomes. There are about 355 businesses, six licensed day care facilities, two parks and two recreational areas within a one-mile radius of the site.

6.5 Schools and Churches

There are two public schools, two private schools, three vocational schools, one school-district-owned property, and 19 churches within one mile of the site.

6.6 Cemeteries

There is one known cemetery within one mile of the site.

6.7 Historical Sites

No historical properties will be affected by the site.

7.0 Location Restrictions

Location restrictions for municipal solid waste storage and processing facilities are set forth in 30 TAC Chapter 330 Subchapter M.

7.1 Airport Safety

Airport restrictions provided in §330.545 apply only to landfills.

7.2 Floodplains

The facility is not located within the 100-year floodplain.

7.3 Wetlands

Two areas of isolated wetlands were identified on the property, totaling approximately 0.6 acres. No waste activities will be performed in these areas and the development and operation of the transfer station will not adversely affect these areas.

7.4 Fault Areas and Seismic Impact Zones

Fault area and seismic impact zone restrictions provided in §330.555 and §330.557, respectively, apply only to landfills.

7.5 Unstable Areas

Unstable area restrictions provided in §330.559 apply only to landfills.

8.0 Site Development and Operation

The Site Development Plan (SDP) is Part III of the permit application and sets forth the engineering design and other technical aspects of the facility. The Site Operating Plan (SOP) is Part IV of the permit application. The SOP provides operating procedures for the site management and the site operating personnel for the daily operation of the facility. The SOP also provides guidance to maintain the facility in compliance with the engineering design and applicable regulatory requirements. These documents become part of the permit.

9.0 Protection of Endangered Species

A threatened and endangered species assessment was performed for the facility. The assessment concluded that the site contained no suitable habitat for any state or federally listed threatened or endangered species identified as potentially occurring in Harris County and a site survey observed no threatened or endangered species at the site.

10.0 Financial Assurance

Financial assurance must be maintained for the facility in accordance with 30 TAC Chapter 37 (Financial Assurance) and 30 TAC Chapter 330 Subchapter K for closure.

11.0 Attachments

Three attachments from the permit application are included with this Technical Summary. These attachments are as follows.

Attachment 1 - General Location Map

Attachment 2 - Site Location Map

Attachment 3 - Site Layout Plan

12.0 Public Participation Process

The process through which the public is allowed to participate in the final decision on the issuance of a municipal solid waste permit is outlined as follows.

- a. The TCEQ will hold a public meeting if the Executive Director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the Commission accepts formal comments on the application. There is also an informal question and answer period.
- b. After technical review of the application is completed, the application is declared technically complete and a draft permit is prepared. The draft permit, the public notice language, and the technical summary are sent to the Chief Clerk's office for processing.
- c. The "Notice of Application and Preliminary Decision" is sent to the applicant and published in the newspaper. This notice provides a 30-day period from the date of publication for the public to make comments about the application or draft permit. The notice also allows the public to request a public meeting for the proposed facility.
- d. After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a public hearing.
- e. After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ Commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.
- f. A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant(s) present witnesses and testimony to support or dispute information contained in the application. When the evidentiary portion of the hearing is completed, the ALJ will issue a Proposal for Decision (PFD). The PFD is placed on an agenda meeting of the TCEQ Commissioners for consideration of issuance or denial of a permit.
- g. After the approval or denial of an application has been made, a request to overturn the decision may be made by a party that does not agree with the decision. The request to overturn must be made within a 20-day period after the decision is sent to the applicant. These requests are considered within a 25-day period after the end of the 20-day request period. The matter could be set on another agenda meeting for reconsideration, or allowed to remain in effect without any action after the 25-day period is complete.

- h. Applications for which no comments are received or no one requests a public hearing are considered uncontested matters after the initial 30-day comment period. The matter is placed on the Executive Director's signature docket and a permit is issued. The motion to overturn or reconsider is also applicable in this situation.

13.0 Additional Information

For information regarding this application, contact the Municipal Solid Waste Permits Section:

Mr. Steve Odil, P.E.
MSW Permits Section (MC-124)
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711
(512) 239-4568

To request a copy of the Site Development Plan, contact the consulting engineer:

Mr. Charles G. Dominguez, P.E.
Golder Associates
500 Century Plaza Drive, Suite 190
Houston, TX 77073
(281) 821-6868

Information concerning public participation in the public hearing process, contact the TCEQ's Office of the Public Interest Counsel:

Office of Public Interest Counsel (MC-103)
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-6363

Information concerning public hearing procedures for municipal solid waste permits may be obtained by contacting Mr. Bill Newchurch, Natural Resources Team Leader, at:

State Office of Administrative Hearings
Natural Resource Division
300 W. 15th Street, Room 504
Austin, TX 78701
(512) 475-3445

Compliance History

Customer/Respondent/Owner-Operator:	CN602656142	Ruffino Hills Transfer Station, LP	Classification: AVERAGE	Rating: 3.75
Regulated Entity:	RN101664233	RUFFINO HILLS TRANSFER STATIO	Classification: AVERAGE	Site Rating: 4.50
ID Number(s):	MUNICIPAL SOLID WASTE PROCESSING	PERMIT		1355
	MUNICIPAL SOLID WASTE PROCESSING	PERMIT		1355A
	MUNICIPAL SOLID WASTE DISPOSAL	PERMIT		1238
	AIR NEW SOURCE PERMITS	REGISTRATION		80948
Location:	9720 RUFFINO RD, HOUSTON, TX, 77031			
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	July 21, 2011			
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.			
Compliance Period:	September 01, 2005 to July 21, 2011			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Bobbie Rogans		Phone:	239 - 6197

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 12/20/2007 (599176)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/19/2007 (599176) CN602656142
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 330, SubChapter F 330.117(b)
30 TAC Chapter 330, SubChapter G 330.150(5)(A)
Description: Failure to unload waste in an authorized area.
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(3)
Description: Failure to properly manage diesel storage tank to prevent leakage.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 330, SubChapter T 330.955(a)
Description: Failure to prevent the disturbance of the final cover of a landfill.
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).

- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

Sites Outside of Texas
N/A